

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Humphrey, *et al.*, §
Plaintiffs, §
VS. § CIVIL ACTION NO. H-04-2051
§
Krenek, *et al.*, §
Defendants. §

MEMORANDUM AND ORDER

Pending before the Court are Defendants' motion to dismiss and motion for partial summary judgment. The parties have now indicated that they will submit the case to mediation. Accordingly, Defendants' motions, Docket Nos. 50 and 51, are **DENIED WITHOUT PREJUDICE TO REFILING** at the conclusion of the mediation. If Defendants elect to refile the motions, or if any party elects to file dispositive motions after the mediation has concluded, such motions must be filed no later than January 13, 2006.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 3rd day of November, 2005.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.